

## **REMARKS**

Claims 1-6, 8, 10-17, 25 and 27-29 are pending as of the date of the Office Action. Claims 1, 10 and 25 have been amended. The Examiner's objections based on informalities have been addressed for amended claims 1, 10 and 25. Accordingly, Applicants respectfully request the Examiner remove objections to claims 1, 10 and 25.

### **Rejection Under 35 U.S.C. § 112**

Claims 1-6, 8, 10-17, 25 and 27-29 stand rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action asserts that it is not clear what the phrase "further comprises" in claim 1 is supposed to modify. The term "further comprises" modifies the phrase "context-based user behavior data."

The Office Action further asserts there is an insufficient antecedent basis for the multiple user limitation and that Claim 1 could potentially be interpreted to apply to the storing the interaction data of a single user. Claim 1 has been amended to clarify that the features are directed at multiple users and language suggesting that the claim is directed at a single user has been removed.

### **Rejection Under 35 U.S.C. § 102**

Claims 1-6, 8, 10-17, 25 and 27-29 stand rejected under 35 U.S.C. § 102 as being anticipated by Biebesheimer et al. (US Patent Application Publication #2002/0152190). The office action asserts that the Biebesheimer reference teaches a method of isolating unsatisfactory queries common to multiple users. The invention described in Biebesheimer is intended for a single user to operate and is intended to improve the search results of only that single user based on that user's prior search data.

The office action proposes that the user controlled exclusionary filtering system described in Biebesheimer which is used to improve the search results of an individual user is analogous to a system designed to address the unsatisfactory search results of multiple users and is not adjusted by the individual users. The exclusionary measures described in

Biebesheimer are “visible and modifiable to the **user** on the Detailed Specification Workspace...” (emphasis added). The Detailed Specification Workspace is a GUI “for enabling a user to change or create resource parameters using include logic or exclude logic for any attribute value selected in the Attribute-Value Workspace.” Biebesheimer para [0069]. The exclusionary activity described in Biebesheimer will only affect **the individual user’s** search through the Detailed Specification Workspace which allows a user to “completely manage their search.” *Id.* at [0072]. A user of this system will actively make selections in the Detailed Specification Workspace to improve the outcome of the current search they are performing.

Among Biebesheimer’s options that users can change for their individual search is **context** data defined as cost, timing, quality and risk. As mentioned in the office action, while the system described in Biebesheimer does store user interaction data for multiple users, only the user interaction data associated with the **user’s profile** is used to “train” the system for *that* specific user. *Id.* at [0037]. Therefore, the exclusionary measures described to improve a user’s search results are based on that specific user’s prior search data alone. The system described in Biebesheimer is not designed to analyze prior search data from a multitude of users to improve a current user’s search results.

In contrast to the system described in Biebesheimer, the predictive pattern described in the claimed embodiments utilizes data from multiple users to refine the search results for multiple users. This system identifies problematic search terms based on data accumulated from multiple users. Once a problematic search term is identified a developer can isolate the search term and correct the problem for a multitude of users. After a correction to the system is made to address the problematic search term user satisfaction with the search results is expected to increase. Already collected data can then be used as a benchmark to verify that the fix has been successful for the problematic search term. It should be noted that the correction and improvement process is transparent to the user in this system. Therefore, the method described for isolating problematic search terms and improving search results for multiple users is not taught by Biebesheimer where the system is designed to improve the search results of a single user. Accordingly, Applicant respectfully requests withdrawal of the aforementioned rejections.

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**PATENT**

### **CONCLUSION**

For all the foregoing reasons, the applicants respectfully submit that the present application is now in condition for allowance.

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